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OFFICE OF PETITIONS

In re Application of
Stephen E. Moorman, et. al.
Application No. 09/781,986
Filed: February 14, 2001
Attorney Docket No. 59915(48861)

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed by facsimile transmission on March 2, 2005, to revive the above-identified application.

In response to the non-final Office action mailed August 19, 2004, petitioner hereby submits an authorization to charge \$1,500 for the petition to revive fee, \$1,020 for a three (3) month extension of time, an amendment, and the statement of unintentional delay. As authorized, the above fees have been charged to petitioner's deposit account.

Since petitioner has met the requirements to revive this application, pursuant to 37 CFR 1.137(b), the petition is **GRANTED**.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See *In re Application of S.*, 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$1,020 extension of time submitted with the petition on March 2, 2005 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

It is not apparent whether the address given on the petition differs from the address of record. The Office will not engage in dual correspondence; therefore, if appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; nevertheless, the Office will mail all future correspondence solely to the address of record.

This application is being referred to Technology Center Art Unit 3727 for review of the amendment filed with the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
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